

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Wayne L. Felts**
Assignee: **SEAGATE TECHNOLOGY LLC**
Application No.: **10/606,090** Group No.: **2116**
Filed: **June 26, 2003** Examiner: **James Trujillo**
For: **TRANSITIONING FROM STARTUP CODE TO APPLICATION CODE DURING
INITIALIZATION OF A PROCESSOR BASED DRIVE**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed October 12, 2007, rejecting claims 1-20. Applicant previously filed a Notice of Appeal on January 12, 2007 and an Appeal Brief on July 12, 2007, including the fees for each. The Examiner issued a new nonfinal Office Action on October 12, 2007, however, Applicant has opted to initiate a new appeal with the filing of the notice of appeal under 37 CFR 41.31 and appeal brief under 37 CFR 41.37. Applicant chooses to apply the previously paid notice of appeal fee and appeal brief fee and has authorized payment herewith of the fee increase for each.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Notice of Appeal is:

Notice of Appeal fee for other than small entity - \$510.00 less previous payment of \$500.00 = **\$10.00**

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for 3 months: **Fee \$1,050.00**

If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$ 10.00
Extension fee	\$1,050.00
TOTAL FEE DUE	\$1,060.00

5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$1,060.00 to credit card as shown on the attached electronic credit card information authorization.

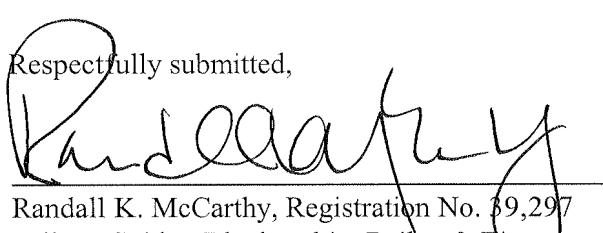
Charge any additional fees required by this paper or credit any overpayment to Deposit Account 06-0540.

6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 06-0540.

Date: 3/17/08

Respectfully submitted,



Randall K. McCarthy, Registration No. 39,297
Fellers, Snider, Blankenship, Bailey & Tippens
100 North Broadway, Suite 1700
Oklahoma City, OK 73102-8820
Telephone: 405-232-0621
Fax: 405-232-9659
Customer No. 33900